

DATE

Ms. Julhelene E. Jackson  
Attorney at Law  
1249 Carbon Loop  
Ville Platte, LA 70586

**Re: Docket No. 2022-093  
Advisory Opinion**

Dear Ms. Jackson:

The Louisiana Board of Ethics, at its April 8, 2022 meeting, considered your request for an advisory opinion as to whether you can serve as the City Prosecutor for Ville Platte City Court, while you serve as an Assistant District Attorney in the 13<sup>th</sup> Judicial District for the Parish of Evangeline.

### **FACTS PROVIDED**

You provided that you serve as an Assistant District Attorney in the 13<sup>th</sup> Judicial District assigned to prosecute juvenile cases at Ville Platte City Court. You stated that the City of Ville Platte would like to appoint you to serve as the City Prosecutor for its City Court. The City Prosecutor for the City of Ville Platte is responsible for prosecuting misdemeanor violations of City of Ville Platte ordinances and laws committed by adults. You provided that any misdemeanor violation of state ordinances and laws committed by adults are prosecuted by an Assistant District Attorney from the 13<sup>th</sup> Judicial District other than yourself and are handled in the 13<sup>th</sup> Judicial District Court for the Parish of Evangeline.

### **LAW**

**La. R.S. 42:1111C(1)(a)** prohibits a public servant from receiving any thing of economic value for any service, the subject matter of which is devoted substantially to the responsibilities, programs, or operations of the agency of the public servant and in which the public servant has participated.

## La. R.S. 42:1102. Definitions

\*\*\*

(2)(a) “**Agency**” means a department, office, division, agency, commission, board, committee, or other organizational unit of a governmental entity. For purposes of this Chapter, “agency of the public servant” and “his agency” when used in reference to the agency of a public servant shall mean:

(vi) For public servants of political subdivisions, it shall mean the agency in which the public servant serves... Public servants of political subdivisions shall include, but not be limited to, ... district attorneys and their employees ....

## ANALYSIS

As an Assistant District Attorney for the 13<sup>th</sup> Judicial District, your agency is considered to be the 13<sup>th</sup> Judicial District Attorney’s Office, where your duties and responsibilities are to prosecute juvenile cases in Ville Platte City Court. Since you do not prosecute misdemeanor or adult violations in your position as an Assistant District Attorney, prosecuting adult misdemeanor violations in Ville Platte City Court as the City Prosecutor for the City of Ville Platte would not be devoted substantially to the responsibilities, programs, or operations of your prosecuting juvenile cases in Ville Platte City Court.

## CONCLUSION

The Board concluded, and instructed me to inform you, that the Code of Governmental Ethics (“Code”) would not prohibit you from being appointed by the City of Ville Platte to serve as City Prosecutor while you serve as an Assistant District Attorney in the 13<sup>th</sup> Judicial District.

Please note that the Board’s opinion expressed herein is limited to an examination and application of the Code’s provisions. Opinions on dual office holding and dual employment laws are within the jurisdiction of the Office of the Attorney General. The Louisiana Department of Justice – Office of the Attorney General may be contacted at (225) 326-6000.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Governmental Ethics. The Board issues no opinion as to past conduct or as to laws other than the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Acts, and the conflict of interest provisions contained in the Louisiana Gaming Control Law. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

**LOUISIANA BOARD OF ETHICS**

---

Gregory L. Thibodeaux

For the Board

**DISCLAIMER**

This is a draft opinion and it is **NOT** an opinion of the Louisiana Board of Ethics. The analysis and conclusions herein are provided for discussion purposes only, and are subject to change or revision at the meeting of the Board of Ethics at which this matter is considered.

No party may rely on the facts or conclusions.